

DOCKET NO: 272477US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
ROBERTO GIANNA, ET AL. : EXAMINER: VANOY, TIMOTHY C.  
SERIAL NO: 10/538,925 :  
FILED: MAY 30, 2006 : GROUP ART UNIT: 1793  
FOR: CHEMICAL-BIOLOGICAL :  
PROCESS FOR THE REMOVAL OF H<sub>2</sub>S  
FROM A GAS

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Examiner's Statement of Reasons for Allowance attached to the Notice of Allowability dated June 30, 2008, Applicants respectfully submit the following remarks:

**Remarks** begin on page 2 of this paper.

REMARKS

Applicants wish to thank Examiner Vanoy for the Notice of Allowability in the above-identified application.

However, Applicants respectfully disagree with the Examiner's description of U.S. 5,989,513 as describing a "substantially similar process" as the allowed claimed invention. (Examiner's Statement of Reasons for Allowance attached to Notice of Allowability dated June 30, 2008, page 2, line 15)

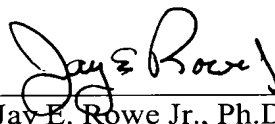
The Examiner has listed items (i) through (vii) as limitations which are "not taught or suggested in U.S. Pat. 5,989,513 or any other references of record." (page 3, lines 1-2)

Applicants respectfully submit that based upon the recitation of seven limitations in the claimed invention which are not present in the cited reference, the reference cannot be characterized as "substantially similar."

Applicants respectfully agree with the Examiner's determination of patentability and note that the cited reference does not anticipate nor render the claimed invention obvious according to U.S. patent law. Therefore, Applicants respectfully submit that the descriptive language: "substantially similar" is not appropriate nor applicable and is a misleading description.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



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